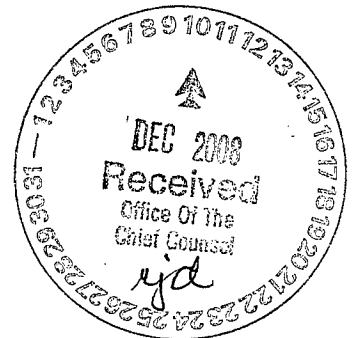


# Petition to the State Water Board.

State Water Board  
Office of Chief Counsel  
P.O. Box 100  
Sacramento, CA 95812



I am petitioning the State Water Board to review the action of the California Regional Water Quality Control Board, Central Valley Region, 1685 F Street, Fresno California, 93706, wherein they threaten an 88 year old senior with astronomical civil liability and Criminal Penalties. I do not use a Computer so I am unable to do anything in that regard. The member for the ombudsman for small business does not answer, and am reluctant to make contact for advice from an agency who uses these tactics. I have responded as follows in attachment A to my petition.

My question is: on whose behalf was this directive issued and could it possibly be by civil attorneys who have filed a complaint against an 88 year

# Petition to the State Water Board.

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My question is: on whose behalf was this directive issued and could it possibly be by civil attorneys who have filed a complaint against an 88 year

old senior alleged occurrences which did not happen some 34 years ago? (See attachment). This Complaint filed by attorneys seeks attorneys fees no less by count 11 times?

I request this Board review the directive, and my response thereto, which I submit in propria persona as an attachment to this petition.

Submitted under penalty  
of perjury

Jeanita Price  
801 W. Ward, Sp 58

Ridgcrest, CA. 93555

①

California Regional Water Quality Control  
Board, Central Valley Region  
1685 E Street, Fresno, California, 93706

I am responding in propria persona to your directive of November 19, 2008 (attached hereto) in which you state that I am responsible, or are suspected of being responsible, for the release of the dry cleaning solvent PCE, which could have affected waters of the state, and am ordered to submit a technical report and proposal to conduct an investigation of this said release.

In my defense I state: I was a joint owner of a small laundromat at 46423 Highway 41, Oakhurst, California some 34 years ago. We rented space for this laundromat, we did not own any real property at this location, nor did we operate any dry cleaning machines. We were there only because my husband was disabled by emphysema, which later cost his life in the late 70's I believe. There were two old dry cleaning machines which I believed were totally inoperable taking up space on the premises. We did not order any dry cleaning solvent, did not use any or handle any dry cleaning solvent, and in your directive you

I state, (page 1, item 2) that we operated a laundry that contained a dry cleaning machine, not that we operated it.

Again, on page 2 of your directive (b) is stated the Regional Board, in requiring these reports, shall provide the person with a written explanation with regard to the need for these reports, and shall identify the evidence that supports requirement that person to provide the reports.

When you label me a "responsible party" you are incorrect. I again state that I did not do any dry cleaning at this address or anywhere else.

In your directive, page 3, paragraph 2: you threaten me, an 88 year old senior with fines, and incarceration under criminal action, even Superior Court action, I must tell you I worked in Superior Court for nearly 30 years in Fresno and Madera Counties, retired as County Clerk and Clerk of the Superior Court; and have never witnessed such egregious action taken against anyone, much less an 88 year old senior for something "suspected" of happening some 34 years ago.

In conclusion, I have two questions of this Board: "On whose behest was this action

(3)

Taken against me and second did I have  
anything to do with attorneys in a civil suit,  
seeking collateral victims to pay the request  
for attorneys fees no less than 11 times?  
See exhibit attached hereto.

Submitted to the best of my knowledge  
and belief under the penalty of perjury.

Jeanette Price  
801 W. Ward, Sp 58  
Ridgcrest, CA 93555

Case 1:08-cv-00526-OWW-SMS Document 4 Filed 04/18/2008 Page 1 of 2

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA****RODNEY SCHULTZ, ET AL.,****V.****SUMMONS IN A CIVIL CASE****GEORGE ICHIMOTO, ET AL.,****CASE NUMBER: 1:08-CV-00526-OWW-SMS**

**TO: George Ichimoto, Kaye Ichimoto, Walter  
Tuttle**  
Defendant's Address:

**YOU ARE HEREBY SUMMONED** and required to serve on

**Jeffory J. Scharff**  
**2625 Fair Oaks Blvd**  
**Suite 7**  
**Sacramento, CA 95864**

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

**VICTORIA C. MINOR****CLERK****/s/ M. Sondheim****(By) DEPUTY CLERK**

**ISSUED ON 2008-04-18 08:49:17.0, Clerk  
USDC EDCA**



Linda S. Adams  
Secretary for  
Environmental  
Protection

# California Regional Water Quality Control Board Central Valley Region

Karl E. Longley, ScD, P.E., Chair

1685 E Street, Fresno, California 93706  
(559) 445-5116 • Fax (559) 445-5910  
<http://www.waterboards.ca.gov/centralvalley>



Arnold  
Schwarzenegger  
Governor

19 November 2008

Drew and Cynthia Ratzloff  
Ratzloff Family Trust  
49988 Gamegan Way  
Oakhurst, CA 93644

Certified Mail No. 7008 1300 0000 5836 7679

Walter C. Tuttle  
Walter Colburn Tuttle and June Hadley Tuttle Revocable Living Trust Agreement  
33793 Road 224  
North Fork, CA 93643

Certified Mail No. 7008 1300 0000 5836 7631

✓ Juanita Price  
801 W. Ward Avenue, SPC 58  
Ridgecrest, CA 93555

Certified Mail No. 7008 1300 0000 5836 7648

## CALIFORNIA WATER CODE DIRECTIVE PURSUANT TO SECTION 13267, LAUNDROMAT AT 40423 HIGHWAY 41, OAKHURST, MADERA COUNTY (SECTION 13267 ORDER)

You are responsible or are suspected of being responsible for a release of volatile organic compounds (VOCs), including the dry cleaning solvent tetrachloroethene (PCE), which could have affected waters of the State and thus are herein directed to submit a technical report with a professional's proposal to conduct an investigation of the release. The facts and resulting directive follow:

1. The Ratzloff Family Trust (Drew and Cynthia Ratzloff, Trustees) currently owns the above-referenced property (APN 065-070-011) at 40423 Highway 41, Oakhurst, Madera County (hereafter Site). Drew and Cynthia Ratzloff owned the site from 2002 to 2006. The property was owned by the Walter Colburn Tuttle and June Hadley Tuttle Revocable Living Trust (Walter Colburn Tuttle, Trustee) from 1991 to 2002. ✓ Walter Colburn Tuttle and June Hadley Tuttle (deceased) owned the Site from 1972 to 1991, during a portion of which a coin operated drying cleaning machine was used at the facility.
2. A laundromat with a coin operated dry cleaning machine was operated at the Site by ✓ Everett Rose (deceased) from approximately 1967 to 1971. Marshall Price (deceased) and Jaunita Price operated a laundromat with a dry cleaning machine from approximately 1971 to 1974.
3. Groundwater in the vicinity of the Site has been impacted by PCE, a solvent used for dry cleaning. Domestic wells to the southwest and east of the Site have PCE concentrations above the California drinking water maximum contaminant level.

California Environmental Protection Agency



4. The Regional Water Board possesses authority to require technical reports that derives from Section 13267 of the California Water Code (CWC), which refers to regional board and specifies, in part, that:
  - ✓ (a) A regional board, ...in connection with any action relating to any plan or requirement authorized by this division, may investigate the quality of any waters of the state within its region.
  - (b)(1) In conducting an investigation specified in subdivision (a), the regional board may require that any person who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge waste within its region...that could affect the quality of waters within its region shall furnish, under penalty of perjury, technical or monitoring program reports which the regional board requires. The burden, including costs, of these reports shall bear a reasonable relationship to the need for the report and the benefits to be obtained from the reports. In requiring those reports, the regional board shall provide the person with a written explanation with regard to the need for the reports, and shall identify the evidence that supports requiring that person to provide the reports.
5. The Regional Water Board adopted the Water Quality Control Plan for the Sacramento and San Joaquin River Basins, Fourth Edition, (Basin Plan), which designates beneficial uses of water. Essentially all groundwater within the San Joaquin River Basin is designated as having a beneficial use of municipal and domestic water supply (MUN), including shallow groundwater in the Site area.
6. PCE, which is a carcinogen, when released to soil represents a potential health hazard or nuisance, and PCE released to groundwater represents a significant threat of adverse affect to the beneficial use of MUN.
7. The foregoing establishes that Walter Colburn Tuttle, the Walter Coburn Tuttle and June Hadley Tuttle Revokable Trust, Juanita Price, Drew and Cynthia Price, and the Ratzloff Family Trust, are responsible parties that have discharged or are suspected of having discharged volatile organic compounds that have affected or could affect the quality of groundwater designated MUN. An investigation to assess the extent and magnitude of the release in soil and groundwater, and whether it warrants a full investigation and possible cleanup and remediation, is reasonable and appropriate. The cost of a technical report containing results of such an investigation is justified by the benefit to be derived from such information. The responsible parties are encouraged to work together to avoid unnecessary duplication.
8. State Water Resources Control Board (State Water Board) Resolution 92-49, in part, directs Regional Water Boards that require a 13267 investigation to, among other things:
  - ✓ a. Require the responsible parties to conduct investigations in sequence.
  - b. Require prior submittal of a written work plan from the responsible parties for elements and phases of investigation.
  - c. Review and concur with adequate work plans prior to initiation of investigation to the extent practicable, where an adequate work plan is one that includes or references, at least, a comprehensive description of proposed investigative activities, a sampling and analysis plan, a quality assurance project plan, a health and safety plan, and a commitment to implement the work plan.

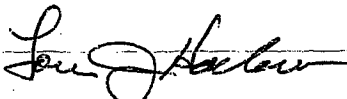
- ✓ d. Require responsible parties to provide documentation that reports are prepared by qualified professionals and to incorporate a statement of qualifications of the responsible professionals in the report.


Under the prescribed authority of CWC Section 13267, you are hereby directed to submit, by **20 February 2009**, a technical report that contains a written work plan prepared by a qualified professional, proposing a systematic and logical sequence of tasks with a proposed schedule to investigate possible releases of volatile organic compounds to soil and groundwater from the subject property and nearby sewer lines, and/or septic systems. The work plan needs to include a history of volatile organic compound usage, storage, handling, and disposal practices, a map of the facility showing the former location of dry cleaning equipment, and the locations of sewer lines and any existing or former septic system.

✓ If you fail to furnish the required report, or you submit substantially incomplete or false information as a report, you will be in violation of CWC Section 13267(b). As the site involves discharge of hazardous waste, in such an event civil liability may be administratively imposed in accordance with Section 13268(d) in an amount that shall not exceed five thousand dollars (\$5,000) for each day in which the violation occurs. Depending on the circumstances, the Regional Water Board can seek greater civil liability through superior court (see Article 5 commencing with Section 13350). Knowing failure or refusal to furnish technical reports required by CWC Section 13267(b) or knowing falsification of information provided in those reports also subjects you to criminal penalties pursuant to CWC Section 13268(e).

Any person affected by this action of the Regional Water Board may petition the State Water Board to review the action in accordance with CWC Section 13320 and Title 23, California Code of Regulations, Section 2050. The petition must be received by the State Water Board, Office of Chief Counsel, P.O. Box 100, Sacramento, CA 95812 within 30 days of the date of this directive. Copies of the law and regulations applicable to filing petitions are available at <http://www.waterboards.ca.gov/html/petitions.html> and also will be provided upon request.

If you have any questions regarding this matter, please contact Jan Alfson of this office at (559) 488-4345 or at [jalfson@waterboards.ca.gov](mailto:jalfson@waterboards.ca.gov).



✓  Pamela C. Creedon  
Executive Officer

cc: Mr. Dexter Marr, Madera County Community Health Department, Madera